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HOUSE BILL 138

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Gail C. Beam

FOR THE JUDICIAL SYSTEM STUDY COMMITTEE

AN ACT

**RELATING TO CRIMES; PROHIBITING POSSESSING A FIREARM IN A
COURTHOUSE.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Criminal Code, Section
30-7-2.4 NMSA 1978, is enacted to read:

"30-7-2.4. [NEW MATERIAL] UNLAWFUL POSSESSING OF A
FIREARM IN A COURTHOUSE. --

A. Unlawful possessing of a firearm in a courthouse
consists of possessing a loaded or unloaded firearm in any
courthouse or court facility except:

(1) by a law enforcement officer or authorized
court security officer in the lawful discharge of his duties;

or

(2) for use as evidence in a court proceeding,

underscored material = new
[bracketed material] = delete

1 provided that the:

2 (a) firearm is made completely
3 inoperative before it is carried into the courthouse or court
4 facility and remains inoperative while it is in the courthouse
5 or court facility; and

6 (b) person using the firearm as evidence
7 gives notice to the court administrator or chief clerk of the
8 court that the firearm will be used as evidence in a court
9 proceeding.

10 B. Whoever commits unlawful possessing of a firearm
11 in a courthouse is guilty of a fourth degree felony. "